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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,301	05/05/2006	Richard Hatch	893-012278-US (PAR)	3616
2512	7590	01/16/2009		
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			EXAMINER LIANG, REGINA	
			ART UNIT	PAPER NUMBER
			2629	
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			01/16/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/540,301	Applicant(s) HATCH, RICHARD	
	Examiner Regina Liang	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 14 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-13, 15, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhodes (GB 2 369 750).

As to claim 1, Rhodes discloses a data communications device, comprising:

a receiver for receiving items of textual information (see Fig. 2),

a plurality of keys (keys for keypad 3, Fig. 3) each associated with a respective plurality of different text characters, the keys being operable by the user to produce an ambiguous key sequence corresponding to an item of textual information (page 6, lines 5-25),

a memory (flash memory 10, Figs. 2, 4) configuration to store different ones of said ambiguous key sequences and to associate with each thereof at least one item of textual information corresponding to the ambiguous key sequence,

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a data processor (controller 8) operable in response to the user actuating the keys to produce one of the ambiguous key sequences, to retrieve the textual information associated therewith from the memory (memory 10) configuration to permit the user to disambiguate the key sequence (page 2, line 23 to page 3, line 7),

wherein the receiver is coupled to the memory configuration, and is operable to identify, based on knowledge of the association of text characters to the plurality of keys, an ambiguous key sequence corresponding to an item of received textual information, and to store the item of received textual information in the memory configuration such that it is associated with the identified ambiguous key sequence (page 2, line 23 to page 3, line 7).

As to claim 2, Rhodes discloses a display device (5, Figs. 2 and 3) to display the text items retrieved by the processor (controller 8) so as to enable the key sequence to be disambiguated.

As to claim 3, Fig. 1 of Rhodes discloses a mobile telephone handset.

As to claim 4, Rhodes discloses the device comprising a PDA (page 1, lines 3-5).

As to claim 5, Rhodes discloses the received items of textual information are contained in a text message (page 5, lines 15-20).

As to claim 6, Rhodes discloses the text message is an SMS message (page 5, lines 15-20).

As to claim 7, Rhodes discloses the text message is an email message (page 11, lines 30-32).

As to claim 8, Rhodes discloses the device configured for composing and sending text message (page 3, lines 12-14, page 5, lines 15-20).

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As to claim 9, Rhodes discloses the device configured for composing and sending an SMS message (page 5, lines 15-20).

As to claim 10, Rhodes discloses the device configured for composing the sending an e-mail (page 11, lines 30-32).

As to claim 11, Rhodes discloses the items of textual information are individual words (page 6, lines 14-19).

As to claims 12, 13, Figs. 2 and 4 of Rhodes discloses the memory (10) containing a dictionary of stored words (disambiguation dictionary 19), and a predictive text editor (disambiguation software) coupled to the memory to enable prediction of words input by a user, and a receiver for receiving ext messages, characterized in that the receiver selectively stores words contained in the text messages in the memory for user by the predictive text editor (see Fig. 2, and page 6, lines 5-25).

As to claim 15, note the discussion of claim 1. Figs. 1-5 of Rhodes disclose a method of programming a communication device as claimed.

As to claim 16, Fig. 6 of Rhodes discloses the method as claimed (see steps 6.5, 6.6 for example).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (571) 272-7693. The examiner can normally be reached on Monday-Friday from 8AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Regina Liang/
Primary Examiner, Art Unit 2629